

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company's Natural Gas Transmission Pipeline System in Locations with Higher Population Density.

Investigation 11-11-009  
(Filed November 10, 2011)

**ORDER EXTENDING STATUTORY DEADLINE****Summary**

This decision extends the statutory deadline in this proceeding to November 10, 2015.

**Background**

Public Utilities (Pub. Util.) Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of the date that they are initiated unless the Commission makes findings as to why that deadline cannot be met and issues an order extending that deadline. This matter has been categorized as adjudicatory and the 12-month deadline for its resolution had been November 10, 2012. The statutory deadline for this proceeding had been extended twice, most recently by Decision 13-10-054 to November 10, 2014. This decision extends the statutory deadline to November 10, 2015.<sup>1</sup>

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<sup>1</sup> We extend the deadline by 12 months as a matter of standard practice.

On September 2, 2014, a Presiding Officer's Decision (POD) was issued concerning the alleged violations in this proceeding. Additionally, a coordinated POD concerning fines and remedies was issued in this proceeding, as well as in Investigation (I.) 11-02-016 and I.12-01-007. On October 2, 2014, two parties filed appeals of the decision on violations. Additionally, five parties filed appeals and three Commissioners filed requests for review of the decision on fines and remedies. Responses to the appeals and requests for review are due on October 27, 2014.<sup>2</sup>

In order to have sufficient time to address all issues raised in the appeals and requests for review, prepare modified PODs, and allow the Commissioners to vote on the modified PODs, an additional extension of the statutory deadline is necessary. The extension is also necessary because of the possibility that a Commissioner will propose a decision different to the POD, as provided in Rule 15.5(b) of the Commission's Rules of Practice and Procedure. Because of these circumstances, we conclude that it is appropriate to extend the 12-month deadline in this case to November 10, 2015.<sup>3</sup>

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<sup>2</sup> Pursuant to Rule 14.4(d) of the Commission's Rules of Practice and Procedures, responses are due 15 days after the date the appeal or request for review is filed, or October 17, 2014. On October 7, 2014, the assigned Administrative Law Judges issued an electronic ruling granting a motion by the Commission's Safety and Enforcement Division to extend the date to file responses. Responses are now due on October 27, 2014.

<sup>3</sup> We extend the deadline by 12 months as a matter of standard practice.

### **Waiver of Comment Period**

Under Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings. Accordingly, pursuant to this rule, the otherwise applicable period for public review and comment is waived.

### **Assignment of Proceeding**

Michel Peter Florio is the assigned Commissioner and Amy C. Yip-Kikugawa is the assigned Administrative Law Judge in this proceeding.

### **Findings of Fact**

1. This proceeding was initiated on November 10, 2011.
2. Based upon the statutory deadline, this proceeding must be resolved within 12 months of its initiation, unless this date is extended.
3. Decision 13-10-054 extended the statutory deadline for this proceeding to November 10, 2014.
4. PODs were issued on September 2, 2014.
5. Appeals and requests for review of the PODs were filed on October 2, 2014.
6. An additional extension of the 12-month deadline is necessary in order to have sufficient time to address all issues raised in the appeals and requests for review, prepare modified PODs, and allow the Commissioners time to vote on the modified PODs.

### **Conclusions of Law**

1. The 12-month statutory deadline imposed by Pub. Util. § 1701.2(d) should be extended to November 10, 2015.
2. This order should be effective immediately.

**IT IS ORDERED** that the 12-month statutory deadline in this proceeding is extended to November 10, 2015.

This order is effective today.

Dated \_\_\_\_\_, at Bakersfield, California.